



**CITY COUNCIL  
MEETING MINUTES**

**MARCH 15, 2010 7:30 PM**

**I. CALL TO ORDER**

**A. Flag Salute**

Mayor Peter B. Lewis called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

**B. Roll Call**

Councilmembers present: Rich Wagner, Sue Singer, Nancy Backus, Lynn Norman, Virginia Haugen, and John Partridge. Councilmember Bill Peloza was excused.

Staff members present: Chief of Police Jim Kelly; Human Services Manager Michael Hursh; City Attorney Daniel B. Heid; Employee Relations and Compensation Manager John Fletcher; Acting Planning Director Kevin Snyder; Public Works Director Dennis Dowdy; Finance Director Shelley Coleman; Parks, Arts and Recreation Director Daryl Faber; Principal Planner Elizabeth Chamberlain; Water Quality Program Coordinator Chris Thorn; Storm Drainage Engineer Tim Carlaw; Emergency Preparedness Manager Sarah Miller; Emergency Preparedness Assistant Jessie Clark; and City Clerk Danielle Daskam.

**C. Announcements and Appointments**

**1. Announcements**

**a) National Oceanic and Atmospheric Administration to recognize the City of Auburn StormReady Community.**

Ted Buehner and Brad Colman of the National Weather Service, National Oceanic and Atmospheric Administration, presented the City Council with Auburn's official designation as a StormReady Community. StormReady recognizes the City for an

important milestone in being prepared for inclement weather. Mr. Ted Buehner, Warning Coordination Meteorologist for the National Weather Service, recognized Emergency Preparedness Manager Sarah Miller and Emergency Preparedness Assistant Jessie Clark for their work in strengthening the local emergency program.

StormReady is a nation-wide National Weather Service program started in 1999. It recognizes communities that have a strong and effective preparedness program to handle severe weather as well as floods. StormReady communities must have a twenty-four hour warning point and an Emergency Operations Center, multiple ways to receive and disseminate National Weather Service warnings, the ability to monitor local weather and river conditions, have a formal hazardous weather operations plan, and a community education and preparedness program to help raise public readiness. The benefit of achieving StormReady status is additional community rating system points from the National Flood Insurance Program, which should provide reduced costs for flood insurance within the city.

**2. Appointments**

There was no appointment for Council consideration.

**D. Agenda Modifications**

Ordinance No. 6295 was removed from the agenda and Resolution No. 4583 was added to the agenda.

**II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE**

**A. Public Hearings**

**1. 2009 Consolidated Annual Performance and Evaluation Report (CAPER)**

O3.4.1.7

The CAPER is an overall review of housing and community development activities undertaken in Auburn during 2009. Its primary purpose is to inform the citizens of Auburn how and where the federal funds are spent, and assess the program accomplishments as they relate to housing and

community development goals set forth in the Consolidated Plan. The purpose of this hearing is to solicit public comments prior to approval of the CAPER and submission of the report to the U.S. Department of Housing and Urban Development.

Human Services Manager Michael Hursh presented the staff report for the 2009 Consolidated Annual Performance and Evaluation Report (CAPER). The primary purpose of the CAPER is to inform the citizens of Auburn where Federal Housing and Urban Development funds are being spent and outline the accomplishments of the program. Federal Housing and Urban Development regulations require the City to solicit comments and provide public review of its annual CAPER. Mr. Hursh pointed out that last year the City spent nearly \$200,000 for the housing repair program that provided grants for minor home repairs to very low income homeowners.

Mayor Lewis opened the public hearing on the 2009 Consolidated Annual Performance and Evaluation Report at 7:41 p.m. No one present requested to speak regarding the CAPER, therefore the hearing was closed.

*(See Item VIII.B.4, Resolution No. 4575, for further action on this item.)*

**2. Stormwater Management Program**

O3.4.1.10, O4.8

City Council to conduct a public hearing on the City's Stormwater Management Program that was prepared in response to the Washington State Department of Ecology's Western Washington Phase II Municipal Stormwater Permit. The Phase II permit covers the discharges from Auburn's storm drainage system. Implementation of the Stormwater Management Program is designed to reduce the discharge of pollutants, protect water quality, and meet the requirements of the Federal Clean Water Act.

Water Quality Program Coordinator Chris Thorn presented the staff report regarding the Stormwater Management Program. The Washington State Department of Ecology (DOE) issued a National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal

Stormwater Permit to the City in 2007. The permit mandates how the city administers stormwater and also requires adoption of a Stormwater Management Program that is updated annually. The purpose of the hearing is to receive public comment on the 2010 Stormwater Management Program.

Mayor Lewis opened the public hearing at 7:45 p.m. There being no one in the audience interested in speaking regarding the Stormwater Management Program, Mayor Lewis closed the public hearing.

*(See Item VIII.B.1, Resolution No. 4570, for further action on this item.)*

**B. Audience Participation**

*This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.*

Ron Weigelt, 17701 101<sup>st</sup> Street East, Bonney Lake, WA  
Mr. Weigelt introduced himself to the Council as a candidate for state senator for the 31<sup>st</sup> Legislative District. City Attorney Heid cautioned Mr. Weigelt that the state constitution prohibits campaigning in public buildings. Mr. Weigelt stated that he believes he is entitled to address the Council but would defer any further comment until he receives clarification of the law.

Gary VolchoK, 701 Pike Street, Suite 2100, Seattle, WA  
Mr. Volchok, of CB Richard Ellis, stated that he, representatives of Barghausen Engineering, and the property owner (Fiorito Brothers) are in attendance this evening to answer any questions with regard to rezone application REZ09-0003 and Ordinance No. 6297 for the property at 1050 M Street NW.

**C. Correspondence**

There was no correspondence for Council review.

**III. COUNCIL COMMITTEE REPORTS**

A3.7.6

**A. Municipal Services**

Vice Chair Singer reported the Municipal Services Committee met March 8, 2010. The Committee approved Resolution Nos. 4572 and 4573 relating to concessionaire agreements with the Optimists

Club of Auburn and Auburn Little League. The Committee discussed taxi business rules and enforcement, Resolution No. 4578 relating to an Interlocal Agreement with Federal Way to establish joint resource conservation management services, and the graffiti program. The next regular meeting of the Municipal Services Committee is scheduled for March 22, 2010 at 4:00 p.m.

**B. Planning & Community Development**

Chair Norman reported the Planning and Community Development Committee met March 8, 2010. The Committee reviewed Ordinance No. 6295 relating to amendments to City of Auburn Floodplain regulations and Resolution No. 4575 relating to the Community Development Block Grant Consolidated Annual Performance Report. The Committee also reviewed Resolution Nos. 4572 and 4573 relating to concessionaire agreements with the Optimists Club of Auburn and Auburn Little League, Resolution No. 4570 relating to the Stormwater Management Program, and proposed code amendments relating to master plans. The next regular meeting of the Planning and Community Development Committee is scheduled for March 22, 2010 at 5:00 p.m.

**C. Public Works**

Chair Wagner reported the Public Works Committee met this afternoon at 3:30. The Committee approved right-of-way permits for Traffic Count Consultants and Auburn School District. The Committee also approved contract award for Public Works Project No. CP0817, the 2009 Dogwood Sewer and Pump Statement Replacement, and an amendment to the consultant agreement with Carollo Engineers for work related to hydraulic modeling. The Committee reviewed Resolution No. 4576 approving a Local Agency Agreement with the State Department of Transportation relating to the South Auburn Intelligent Transportation System (ITS) Project, Resolution No. 4570 relating to the Stormwater Management Program, and Resolution No. 4579 relating to a grant from the Washington State Utilities and Transportation Commission for backup batteries for the traffic signals at three railroad crossings. The Committee also discussed Ordinance No. 6229 relating to budget amendment number 5, Ordinance No. 6298 amending Chapter 1.04 of the City Code relating to amendments to existing provisions, downtown water quality facility feasibility assessment, a water line easement relinquishment, the 2010 public works projects list of over ninety projects, Ordinance No. 6295 relating to floodplains, and the capital project status report. The

next regular meeting of the Public Works Committee is scheduled for April 5, 2010 at 3:30 p.m.

**D. Finance**

Chair Backus reported the Finance Committee met this evening at 6:00 p.m. The Committee approved claims and payroll vouchers, Ordinance No. 6298 relating to amendments to existing ordinance provisions, Resolution No. 4581 relating to a lease agreement with King County Library District for lease of land for the Auburn library, and Resolution No. 4583 urging the United States Department of Defense award the new tanker bid to The Boeing Company. The Committee also discussed Resolution Nos. 4576 and 4579; Resolution No. 4577 relating to the Flexible Benefits Plan, and Resolution No. 4578 approving an interlocal agreement with the City of Federal Way for a Joint Resource Conservation Management Services position; the monthly finance report as January 31, 2010; Ordinance No. 6299 amending the 2009-2010 Budget, bad debt write off, and Ordinance No. 6301 relating to Local Revitalization Financing. The next regular meeting of the Finance Committee is scheduled for April 5, 2010 at 6:00 p.m.

**E. Community Center**

Chair Wagner reported the Community Center Committee met March 9, 2010. The Committee discussed the status of the Boys and Girls Club grant for the activity center, new market tax credit loans, an update on the activity center bidding process, and the activity center climbing wall feature and a possible artistic element to the required security gate for the wall. The next meeting of the Community Committee has yet to be scheduled.

**F. Downtown Redevelopment**

Chair Norman reported the Downtown Redevelopment Committee met March 9, 2010. The Committee discussed downtown lights and downtown urban center design standards. The next regular meeting of the Downtown Redevelopment Committee is scheduled for March 23, 2010 at 4:00 p.m.

**G. Committee on Committees**

Chair Wagner reported the Committee on Committees met this evening at 5:45. The Committee reviewed and approved Resolution No. 4580 which clarifies activities and functions of committees.

**IV. REPORTS**

*At this time the Mayor and City Council may report on significant items associated with their appointed positions on state, regional and local organizations.*

**A. From the Council**

Deputy Mayor Singer reported that she attended a meeting of the Regional Economic Development Board where members discussed a potential study of economic development tools utilized by other states. Deputy Mayor Singer also reported that she participated in a meeting of the Suburban Cities Association Public Issues Committee.

Councilmember Wagner reported that he was part of a delegation sent to Washington, D.C., for the Freight Mobility Strategic Investment Board (FMSIB), which is a state organization that allocates state funding for freight related transportation projects. The City's project within the scope of FMSIB is the M Street SE Grade Separation Project.

Councilmember Partridge reported that he met with members of the Lois Renfro Foundation Board regarding possible volunteer services the Foundation may provide at the Les Gove Campus. Councilmember Partridge also attended the ACAP breakfast fund raising event and the Auburn Chamber of Commerce luncheon at Emerald Downs.

Councilmember Norman reported on her attendance at the Puget Sound Regional Council Growth Management Policy Board meeting, the ACAP breakfast fund raising event, the first meeting of the Joint Determining Authority for Pierce County to review applications for classification of property for tax purposes, and a tour of various types of housing with the Human Services Committee.

Councilmember Backus attended a tour of various types of housing with the Human Services Committee, the Valley Regional Fire Authority Board meeting, the ACAP funding raising breakfast, the Valley Regional Fire Authority annual awards banquet, and the Joint Determining Authority for Pierce County meeting.

Councilmember Haugen reported that she attended the ACAP fund raising breakfast and a recent performance of the musical, Grease, produced by the Auburn High School drama club.

**B. From the Mayor**

Mayor Lewis announced that the King Conservation District will hold an election tomorrow. Residents can vote at the King County Library in Auburn.

Mayor Lewis also spoke regarding membership on the King County Regional Policy Committee and the Pierce County Regional Policy Committee and the importance of working in partnership with the counties. Mayor Lewis also spoke briefly regarding the construction of the South Correctional Entity (SCORE) jail facility and selection of the new SCORE jail director, Penny Bartley.

**V. CONSENT AGENDA**

*All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.*

**A. Minutes**

- 1. Minutes of the March 1, 2010 regular City Council meeting.**

**B. Vouchers**

F4.9.2, F4.9.5

**1. Claims**

Claims check numbers 393075 through 393538 in the amount of \$3,457,947.83 and dated March 15, 2010.

**2. Payroll**

Payroll check numbers 528526 to 528614 in the amount of \$794,209.96 and electronic deposit transmissions in the amount of \$1,130,213.91 for a grand total of \$1,924,423.87 for the pay period covering February 25, 2010 to March 10, 2010.

**C. Contract Administration**

**1. Public Works Consultant Agreement Number AG-C-363**

A3.16.9

City Council grant permission to enter into Amendment #3 to Consultant Agreement No. AG-C-363 with Carollo Engineers for professional services related to hydraulic modeling and associated professional services.



**2. Public Works Project Number CP0817**

O4.6.3 CP0817

City Council award Contract 10-01, Project No. CP0817 – 2009 Sewer and Storm Station Replacement – Phase A, Dogwood Sewer Station to Hoffman Construction, Inc. on their low bid of \$670,418.25 plus WA state sales tax of \$63,689.73 for a total contract price of \$734,107.98.

Deputy Mayor Singer moved and Councilmember Wagner seconded to approve the Consent Agenda.

MOTION CARRIED UNANIMOUSLY. 6-0.

**VI. UNFINISHED BUSINESS**

There was no unfinished business.

**VII. NEW BUSINESS**

There was no new business.

**VIII. ORDINANCES AND RESOLUTIONS**

**A. Ordinances**

**1. Ordinance No. 6295**

A3.11.12

An Ordinance of the City Council of the City of Auburn, Washington, relating to floodplain management regulations; adopting regulations incorporating federal habitat protection requirements into existing regulations, establishing requirements for a Floodplain Development Permit, updating related provisions of law, and amending Chapters 14.03 and 15.68, and Sections 16.10.010, 16.10.070, 17.04.300, 17.09.050, and 17.14.110 of the Auburn City Code, and creating new Sections 17.04.305, 17.04.335 and 18.70.025 of the Auburn City Code, and repealing Section 17.04.045 of the Auburn City Code connected therewith

Ordinance No. 6295 was removed from the agenda.

**2. Ordinance No. 6297**

O3.8 REZ09-0003

An Ordinance of the City Council of the City of Auburn, Washington, approving the request of Fiorito Brothers for a

rezone from C-3 Heavy Commercial to BP Business Park for property located at M Street NW and 15<sup>th</sup> Street NW

Councilmember Norman moved and Councilmember Backus seconded to introduce and adopt Ordinance No. 6297.

MOTION CARRIED UNANIMOUSLY. 6-0.

**3. Ordinance No. 6298**

A3.5.5

An Ordinance of the City Council of the City of Auburn, Washington, amending Chapter 1.04 of the Auburn City Code - General Provisions relating to amendments to existing provisions

Councilmember Backus moved and Councilmember Norman seconded to introduce and adopt Ordinance No. 6298.

In response to a question from Councilmember Haugen, City Attorney Heid explained that the ordinance seeks to add a statement of intent that would indicate that a subsequent amendment to the code shall apply along with previous enactments or amendments unless expressly indicated otherwise.

MOTION CARRIED UNANIMOUSLY. 6-0.

**B. Resolutions**

**1. Resolution No. 4570**

O3.4.1.10, O4.8

A Resolution of the City Council of the City of Auburn, Washington, approving the 2010 Stormwater Management Program and authorizing the Mayor to include a copy of the Program in the National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit Annual Report for 2009 to the Washington State Department of Ecology

Councilmember Wagner moved and Deputy Mayor Singer seconded to adopt Resolution No. 4570.

MOTION CARRIED UNANIMOUSLY. 6-0.

**2. Resolution No. 4572**

O5.1

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a Concessionaire Agreement between the City and the Optimists Club of Auburn Washington for the west concession building operations at Game Farm Park Ballfields for 2010

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4572.

MOTION CARRIED UNANIMOUSLY. 6-0.

**3. Resolution No. 4573**

O5.1

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a Concessionaire Agreement between the City and the Little League of Auburn Washington for the concession operations at the Brannan Park Ballfields and at the Sunset Park Ballfields for 2010

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4573.

MOTION CARRIED UNANIMOUSLY. 6-0.

**4. Resolution No. 4575**

O3.4.1.7

A Resolution of the City Council of the City of Auburn, Washington, to accept the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2009 Program Year

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4575.

MOTION CARRIED UNANIMOUSLY. 6-0.

**5. Resolution No. 4576**

F5.2

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a Local Agency Agreement between the City of Auburn and the Washington State Department of Transportation relating to the South Auburn ITS Expansion Project

Councilmember Wagner moved and Deputy Mayor Singer seconded to adopt Resolution No. 4576.

MOTION CARRIED UNANIMOUSLY. 6-0.

**6. Resolution No. 4579**

O4.9, O4.5

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to accept grant funds in the amount of \$20,000.00 from the Washington State Utilities and Transportation Commission - Grade Crossing Protective Fund

Councilmember Wagner moved and Deputy Mayor Singer seconded to adopt Resolution No. 4579.

MOTION CARRIED UNANIMOUSLY. 6-0.

**7. Resolution No. 4580**

A3.7.1

A Resolution of the City Council of the City of Auburn, Washington, amending Resolution No. 4551 passed December 7, 2009, relating to the standing committees of the City Council of the City of Auburn

Councilmember Wagner moved to adopt Resolution No. 4580 with the following changes: 1) page 3, paragraph C, Planning and Community Development, delete the words "Tourism Board" and 2) page 2, paragraph B, Finance, add the following sentence "This Committee will serve as the Council's liaison for the Tourism Board." Deputy Mayor Singer seconded.

MOTION CARRIED. 5-1. Councilmember Haugen voted no.

**8. Resolution No. 4581**

A3.17, A1.3.8

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a Lease Agreement between the City of Auburn, Washington and King County Rural Library District, doing business as King County Library System

Councilmember Backus moved and Councilmember Norman seconded to adopt Resolution No. 4581.

MOTION CARRIED UNANIMOUSLY. 6-0.

**9. Resolution No. 4583**

A3.3

A Resolution of the City Council of the City of Auburn, Washington, urging the U.S. Department of Defense to select The Boeing Company to build the next mid-air refueling tanker

Councilmember Backus moved and Councilmember Norman seconded to adopt Resolution No. 4583.

MOTION CARRIED UNANIMOUSLY. 6-0,

**IX. ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 8:31 p.m.

APPROVED THE \_\_\_\_\_ DAY OF APRIL, 2010.

\_\_\_\_\_  
Peter B. Lewis, Mayor

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Danielle Daskam, City Clerk

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